

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PRIVATE CLIENT FIDUCIARY  
CORPORATION, a Washington  
Corporation, as Guardian and Conservator  
of JOGINDER CHOPRA, M.D., an  
Incapacitated Person,

Plaintiff,

v.

PHAM SINGH CHOPRA, et al.,

Defendants.

CASE NO. 22-CV-00436-LK

ORDER GRANTING STIPULATION  
AND APPOINTING SETTLEMENT  
GUARDIAN AD LITEM

This matter comes before the Court on the parties' Stipulated Motion to Appoint a Settlement Guardian Ad Litem. Dkt. No. 92. The motion is granted.

**I. BACKGROUND**

Dr. Joginder Chopra appointed her brother Pham Chopra to serve as her attorney-in-fact. Dkt. No. 53 at 2–3. Shortly after the appointment, however, Dr. Chopra experienced a steep and continuous cognitive decline. *Id.* at 2. Pham Chopra meanwhile transferred over \$23 million from Dr. Chopra's Fidelity account to his own and to that of Akal Institute. *Id.* He ultimately resigned

1 as attorney-in-fact following an Adult Protective Services investigation into his alleged financial  
2 exploitation of Dr. Chopra. *Id.* In August 2021, the King County Superior Court appointed Private  
3 Client Fiduciary Corporation as guardian and conservator of Dr. Joginder Chopra and her estate.  
4 *Id.* at 2–3; Dkt. No. 1 at 1, 4. Private Client then filed this suit against Pham Chopra and Akal  
5 Institute for breach of fiduciary duty, unjust enrichment, and conversion. Dkt. No. 53 at 3.<sup>1</sup>

6 In July 2023, the parties jointly moved the Court to stay this case pending finalization of a  
7 formal settlement. Dkt. No. 87 at 1. They also indicated their intent to seek Court approval of the  
8 settlement under LCR 17(c) because Dr. Chopra is “incapacitated.” *Id.* The Court granted the  
9 motion and stayed the case pending finalization of the parties’ formal settlement agreement and  
10 resolution of their forthcoming LCR 17(c) approval motion. Dkt. No. 88. Although the parties  
11 anticipated finalizing the agreement within fourteen days, Dkt. No. 87 at 1, over three months  
12 passed due to an “impasse” in settlement discussions—an issue the parties submitted to binding  
13 arbitration. Dkt. No. 89 at 1; Dkt. No. 90 at 1 (September 2023 Joint Status Report indicating that  
14 the parties had received an interim award, were awaiting a final award in the “near future,” and  
15 planned to finalize the settlement agreement).

16 The parties now petition the Court to appoint attorney Jean Gompf as “settlement guardian  
17 ad litem to investigate the reasonableness of the proposed settlement and to report to the Court  
18 thereon.” Dkt. No. 92 at 1.

## 19 II. DISCUSSION

20 A district court “must appoint a guardian ad litem—or issue another appropriate order—to  
21 protect a minor or incompetent person who is unrepresented in an action.” Fed. R. Civ. P. 17(c)(2);  
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23 <sup>1</sup> The Court dismissed Private Client’s unjust enrichment claim. *Id.* at 13–14. The parties also subsequently agreed  
24 that Pham Chopra would not contest his liability for conversion and breach of fiduciary duty, and that Akal Institute  
would not contest its liability for conversion. Dkt. No. 79 at 2–3. The sole issue remaining for trial was damages. *Id.*  
at 3.

1 *see also United States v. 30.64 Acres of Land*, 795 F.2d 796, 805 (9th Cir. 1986) (Rule 17(c)  
2 obligates a district court “to take whatever measures it deems proper to protect an incompetent  
3 person during litigation.”).<sup>2</sup> The Local Civil Rules codify this requirement, too. In any settlement  
4 involving the claim of an incompetent litigant, the district court must appoint “an independent  
5 guardian ad litem, who shall be an attorney-at-law,” and that guardian ad litem “shall investigate  
6 the adequacy of the offered settlement and report thereon[.]” LCR 17(c). The parties correctly  
7 recognize one of the exceptions to this requirement: when “a general guardian has been previously  
8 appointed” for the incompetent party, the district court “may dispense with the appointment of the  
9 guardian ad litem[.]” *Id.*; Dkt. No. 92 at 2. That is the case here. As noted, Private Client was  
10 appointed as Dr. Chopra’s guardian and conservator in August 2021. The parties nevertheless  
11 “concur” that Ms. Gompf should be appointed as settlement guardian ad litem “to evaluate the  
12 reasonableness of the settlement and to report to the Court regarding the same.” Dkt. No. 92 at 2.  
13 They have also agreed that Dr. Chopra’s conservatorship estate “will pay any fees or expenses  
14 associated with Ms. Gompf’s investigation and report.” *Id.*

15 Based on a review of Ms. Gompf’s background, qualifications, and experience, the Court  
16 agrees that she is a fit and proper person to serve as settlement guardian ad litem for Dr. Chopra.  
17 *See id.* (representing that Ms. Gompf is “a highly experienced and accomplished attorney with  
18 experience as a settlement guardian ad litem in state and federal court, and who has confirmed her  
19 lack of any conflicts and availability to immediately undertake this work”); Dkt. No. 92-1 (Ms.  
20 Gompf’s credentials and experience).

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22 <sup>2</sup> The “obligation to appoint a guardian ad litem or to issue another appropriate order under Rule 17(c) does not arise  
23 until after a determination of incompetence has been made by the court[.]” *AT&T Mobility, LLC v. Yeager*, 143 F.  
24 Supp. 3d 1042, 1049–50 (E.D. Cal. 2015) (cleaned up). Based on the parties’ representations and the remainder of the  
record, the Court is reasonably convinced that Dr. Chopra is not competent to understand the significance of these  
legal proceedings or their effect on her best interests. *See Aradon v. Snohomish Cnty.*, No. 2:20-CV-1665-RSM-DWC,  
2021 WL 3544923, at \*1 (W.D. Wash. Aug. 11, 2021); *Graham v. Graham*, 240 P.2d 564, 565 (Wash. 1952).

**III. CONCLUSION**

The Court GRANTS the parties' stipulated motion, Dkt. No. 92, and APPOINTS Jean Gompf as settlement guardian ad litem for Dr. Chopra in this matter. Ms. Gompf shall discharge her duties and obligations pursuant to applicable law, including Federal Rule of Civil Procedure 17 and Local Civil Rule 17. Ms. Gompf shall be compensated at her normal hourly rate.

The Court further ORDERS and DIRECTS Ms. Gompf to review the proposed settlement in this matter and prepare a report consistent with Local Civil Rule 17, and to file that report with this Court on or before December 1, 2023. The parties may move for an extension of this deadline, if necessary, by filing the appropriate motion. Plaintiff's counsel is DIRECTED to serve a copy of this Order on Ms. Gompf and to file proof of such service within seven days of the date of this Order.

This case shall remain STAYED pending the Court's receipt of Ms. Gompf's report and, should it be satisfied with the terms of the proposed settlement, its final approval of that settlement.

Dated this 31st day of October, 2023.



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Lauren King  
United States District Judge